

**Roberts, Mlotkowski & Hobbes**  
A PROFESSIONAL CORPORATION

8270 Greensboro Drive

Suite 850

McLean, VA, 22102

Telephone: (703) 584-3270

Facsimile: (703) 848-2981

E-Mail: INFO@RMHLAW.COM

WEB: www.rmhlaw.com

**FACSIMILE**

**TO:** EXAMINER Q. VAN

**FROM:** Lori F. Cuomo

**FAX NO.:** (571) 273-4789

**RE:** New Declaration  
Application Serial No. 10/801,458  
KINZ-005 [RMH 12775]

**# of PAGES:** 3 including cover page

**DATE:** June 1, 2006

**MESSAGE:** Attached is the DECLARATION per  
Examiner Van's phone call of  
May 31, 2006

**CONFIDENTIALITY NOTICE:**

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PTO/SB/01 (10-05)

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# DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Declaration  
Submitted  
With Initial  
Filing

OR

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.18 (e))  
required)Attorney Docket  
Number

KINZ-008 (12776)

First Named Inventor

Dwight Eric Kinzer

## COMPLETE IF KNOWN

Application Number

10/801,458

Filing Date

March 15, 2004

Art Unit

3742

Examiner Name

Q. Van

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**IN SITU PROCESSING OF HYDROCARBON-BEARING FORMATIONS WITH VARIABLE  
FREQUENCY AUTOMATED CAPACITIVE RADIO FREQUENCY DIELECTRIC HEATING**

(Title of the invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

03/15/2004

as United States Application Number or PCT International

Application Number

10/801,458

and was amended on (MM/DD/YYYY)

12/01/2005

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.63, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking this box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

(Page 1 of 2)

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing the form, call 1-800-PTO-9199 and select option 2.

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**DECLARATION — Utility or Design Patent Application**Direct all  
correspondence to:The address  
associated with  
Customer Number:

OR

Correspondence  
address below

Name

Dwight Eric Kinzer

Address

413 29th Avenue

City

Fargo

State

North Dakota

ZIP

58102-1508

Country

United States of America

Telephone

701-356-0764

Email

**WARNING:**

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAME OF SOLE OR FIRST INVENTOR:**

A petition has been filed for this unsigned inventor

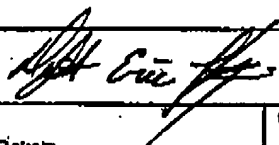
Given Name (first and middle (if any))

Dwight Eric

Family Name or Surname

KINZER

Inventor's Signature



Date

1 June 2006

Residence: City

Fargo

State

North Dakota

Country

USA

Citizenship

US

Mailing Address

413 29th Avenue

City

Fargo

State

North Dakota

Zip

58102-1508

Country

US

☐ Additional inventors or a legal representative are being named on the

supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

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